

55.  
Court  
No.28

09.07.2024  
  
(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION  
  
CRM (DB) 1899 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Berhampore Police Station Case No.1564 of 2023** dated **30.10.2023** under Sections **394/395/412** of the Indian Penal Code. Subsequently added Sections **302/120B** of the Indian Penal Code and Sections **25/27** of the Arms Act, 1959.

And

In the matter of: - **Koesuddin Mondal**

...petitioner.

Mr. Rajdeep Mazumder, Adv.,  
Mr. Pritam Roy, Adv.,  
Mr. Anisur Rahaman, Adv.,  
Mr. Soewel Bhattacharjee, Adv.

...for the petitioner.

Mr. Bibaswan Bhattacharyya, Adv.,  
Mr. Bikram Mitra, Adv.

...for the State.

The petitioner is in custody for eight months. He says that he is completely unconnected with the alleged incident. He prays for bail.

While opposing the prayer for bail, learned Advocate for the State says that it was the petitioner who, although was not directly involved in snatching the money from the father of the *de facto* complainant, had passed on information as regards when the money would be taken to the Bank for being deposited and by whom, to the actual snatchers. Hence, he is involved in the crime. Rs. 1.50 lakh was recovered from the house of the petitioner.

The petitioner says that his wife and father are both teachers. There is nothing to show that the money recovered from his house in which the Bank is a lessee, is part of the stolen cash.

We have considered the material on record. Investigation is complete. We do not see that any useful purpose will be served by continuing to detain the petitioner in custody.

Learned Advocate for the State says that charge-sheet has been submitted. However, after apprehending two absconding accused persons, further investigation is going on. We direct the petitioner to fully co-operate in such investigation, if called for by the Investigating Authority. We, therefore, grant bail to the petitioner.

Accordingly, we direct that the petitioner, namely, **Koesuddin Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Muirshidabad, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1899 of 2024 is accordingly disposed of.

Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**(Arijit Banerjee, J.)**

**(Apurba Sinha Ray, J.)**